

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit _____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: December 15, 1983

FROM: C. E. Ruchman, Chief, Plans Review CRB

SUBJECT: Zoning Advisory Committee
Meeting of December 13, 1983

Item #131	See Comments
Item #132	See Comments
Item #133	See Comments
Item #134	See Comments
Item #135	No Comment
Item #136	See Comments
Item #137	No Comments
Item #138	See Comments
Item #139	See Comments
Item #140	No Comment
Item #141	No Comment
Item #142	See Comments
Item #89 Revised	See Comment

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 1/5/84

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of:
December 13, 1983
RE: Item No: 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, & 142.
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/lh

IN RE: PETITION ZONING VARIANCE	BEFORE THE
SW/corner of Meredith's Ford	ZONING COMMISSIONER
and St. Francis Roads (1216	OF BALTIMORE COUNTY
Meredith's Ford Road) - 9th	
Election District	
Charles H. Barrows, et ux,	Case No. 84-208-A
Petitioners	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 29 feet instead of the required 40 feet. The purpose of their request is to construct an enclosed structure to house a hot tub, as more fully described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Their contractor, Richard Tice, also appeared and testified. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.2, is improved with an existing 35' x 89' dwelling. The Petitioners propose to enclose an area to house a hot tub they purchased to alleviate certain medical problems, i.e., arthritis and back problems. After purchasing the hot tub, the Petitioners constructed a concrete slab behind their home and adjacent to the sliding glass doors that provide egress from the living room to the rear yard. However, they soon learned that hot water and cold air are fit only for penguins. They now wish to enclose the 16' x 15' area upon which the hot tub is located. This will allow year-round enjoyment as well as continuous therapy. The enclosure cannot be located elsewhere on the subject property. The property is a corner lot with the house facing Meredith's Ford Road. One side yard faces St. Francis Road, and the enclosure would obstruct traffic in both directions if it were located there. The other side yard is only 18-feet wide. In addition, access doors from the living room to the rear already exist.

ORDER RECEIVED FOR FILING

DATE: 1/23/84 BY: [Signature]

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of February, 1984, that the Petition for Variance to permit a rear yard setback of 29 feet instead of the required 40 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

February 29, 1984

Mr. & Mrs. Charles H. Barrows
1216 Meredith's Ford Road
Towson, Maryland 21204

IN RE: Petition Zoning Variance
SW/corner of Meredith's Ford
and St. Francis Roads (1216
Meredith's Ford Road) - 9th
Election District
Charles H. Barrows, et ux,
Petitioners
Case No. 84-208-A

Dear Mr. & Mrs. Barrows:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachments

cc: People's Counsel

January 1984

Mr. & Mrs. Charles H. Barrows
1216 Meredith's Ford Road
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Variance
SW/corner Meredith's Ford and St. Francis
Roads (1216 Meredith's Ford Road)
Charles H. Barrows, et ux - Petitioners
Case No. 84-208-A

TIME: 10:15 A.M.

DATE: Monday, February 27, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND		No. 122996
OFFICE OF FINANCE - REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE: 12/1/83	ACCOUNT: RA-145-110	
	AMOUNT: \$55.00	
RECEIVED FROM: [Signature]		
FOR: [Signature]		
8 094*****35001b 5052A		
VALIDATION OR SIGNATURE OF CASHIER		

The Petitioners seek relief from Section 1802.3.B (205.4), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would reasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

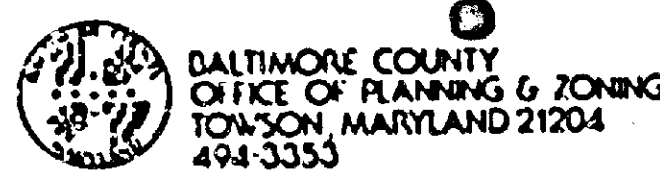
After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING

DATE: 2/29/84 BY: [Signature]

ADMINISTRATIVE ASSISTANT



ARNOLD JABLON
ZONING COMMISSIONER

February 21, 1984

Mr. & Mrs. Charles H. Barrows
1216 Meredith's Ford Road
Towson, Maryland 21204

Re: Petition for Variance
SW/cor. Meredith's Ford & St. Francis
Rds. (1216 Meredith's Ford Road)
Charles H. Barrows, et ux - Petitioners
Case No. 84-208-A

Dear Mr. & Mrs. Barrows:

This is to advise you that \$41.24 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 126875

DATE 2/28/84 ACCOUNT R-01-615-000

AMOUNT \$41.24

RECEIVED Petto Enclosures, Inc.
Advertising & Posting Case #84-208-A
(Charles H. Barrows, et ux)

0 055*****412410 5284A

VALIDATION OR SIGNATURE OF CASHIER

Mr. & Mrs. Charles H. Barrows
1216 Meredith's Ford Road
Towson, Md. 21204

Petto Enclosures, Inc.
200-B Fenrod Court
Glen Burnie, Md. 21061

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
16th day of January, 1984

ARNOLD JABLON
Zoning Commissioner

Petitioner Charles H. Barrows, et ux received by Nicholas B. Comodari
Petitioner's Attorney Chairman, Zoning Plans
Advisory Committee

DESCRIPTION

Located on the southwest corner of Meredith's Ford and
St. Francis Roads and known as Lot #3 as shown on Plat of
Hampton Village which is recorded in land records of Baltimore
County in Liber 25, Folio 73.

Also known as 1216 Meredith's Ford Road

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance

LOCATION: Southwest corner Meredith's Ford and St. Francis Roads
(1216 Meredith's Ford Road)

DATE & TIME: Monday, February 27, 1984 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 29 ft. instead
of the required 40 ft.

Being the property of Charles H. Barrows, et ux, as shown on plat plan filed
with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within
the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this period
for good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Charles H. Barrows, et ux
SUBJECT: 84-208-A

There are no comprehensive planning factors requiring comment
on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9 Date of Posting 2/12/84
Posted for: Petition for Variance
Petitioner: Charles H. Barrows, et ux
Location of property: SW/cor. Meredith's Ford & St. Francis
Rds.
Location of Signs: facing intersection of Meredith's Ford
& St. Francis Rds.
Remarks:
Posted by: [Signature] Date of return: 2/16/84
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 9, 1984
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on the 27th
day of February, 1984, before the 27th day of February,
1984, the first publication
appearing on the 27th day of February,
1984.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$ 18.00

CERTIFICATE OF PUBLICATION

Towson, Md. 2/22/84
THIS IS TO CERTIFY, that the annexed advertisement
was published in the TOWSON TIMES, a weekly news-
paper distributed in Towson, Baltimore County, Md.,
once a week for 1 consecutive weeks, the
first publication appearing on the 24th day of
February, 1984.

The TOWSON TIMES
[Signature]
Manager

Cost of Advertisement: \$ 18.24

